

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**SAM EDWARD THURMOND, SR, ET AL.**

**PLAINTIFFS**

**VS.**

**CASE NO. 4:07CV01089 JMM/HDY**

**KARL BYRD, ET AL.**

**DEFENDANT**

**ORDER**

Plaintiff Sma Edward Thurmond, Sr., a pre-trial detainee currently held at the Faulkner County Detention Facility, filed a *pro se* complaint (docket entry #2), pursuant to 42 U.S.C. § 1983, on November 6, 2007. On November 13, 2007, Thurmond amended his complaint to add James Welspom and Sylvester Kirkwood as Defendants (docket entry #3). No filing fee was paid, and only Thurmond Filed an application for leave to proceed *in forma pauperis*.

On November 14, 2007, the Court entered an order granting Thurmond *in forma pauperis* status, and directing Welspom and Kirkwood to pay the full filing fee, or to file an application for leave to proceed *in forma pauperis*, and to submit amended complaints (docket entry #6). Now pending is Kirkwood's motion to voluntarily dismiss his claims (docket entry #8). For good cause shown, Kirkwood's motion (docket entry #8) is GRANTED, his claims are DISMISSED WITHOUT PREJUDICE, and his name is removed as a party Plaintiff.

IT IS SO ORDERED this 27 day of November, 2007.

